

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

JIMMY PEREZ-OLIVO, *

Petitioner, *

v. *

UNITED STATES, *

Respondent. *

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CASE NO. 97-2068 (SEC)

RECEIVED AND FILED
2004 MAY -5 PM 1:38

CLERK OF COURT
U.S. DISTRICT COURT
SAN JUAN, P.R.

MOTION REQUESTING COURT'S COMPLIANCE WITH
LOCAL RULE 22.1

TO THE HONORABLE COURT:

COMES NOW, pro-se petitioner Jimmy Perez-Olivo and very respectfully states and prays;

1. On April 22, 2004 petitioner was served -received by mail-

a "Display Receipt" from the Office of the Clerk of the Court, identified as a "Notice of Electronic Filing" wherein it informs petitioner that: "The following transaction was received from rm, entered on 4/19/04 at 3:27 PM AST and filed on 4/19/04.

2. Under "Docket Text:" the display receipt reads; "ORDER denying [123] Motion for Certificate of Appealability. Signed by Salvador E. Casellas on 04/19/04.

3. The petitioner has not received any other document from the Clerk's Office as to the above mentioned denial, at the time of the instant filing -May 3, 2004.

4. Thus, an Opinion have not been served upon petitioner, as to the reason[s] why the certificate should not issue.

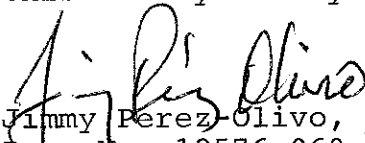
5. Under Local Rule 22.1(a) "[I]f the district court denies a certificate of appealability, it must state the reasons why the certificate should not issue."

6. Based on the clear language of Local Rule 22.1(a), pro-se petitioner very respectfully prays that his habeas court comply with the above mentioned rule and "state the reason[s] why the certificate should not issue."

WHEREFORE, pro-se petitioner Jimmy Perez-Olivo respectfully request that the habeas court comply with Local Rule 21.1(a) and file-and-serve-on-petitioner the mandatory "reasons why the certificate should not issue."

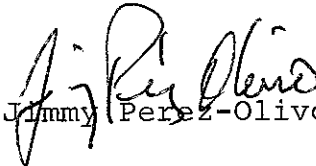
RESPECTFULLY SUBMITTED.

At M.D.C. Guaynabo, P.R., this 3d day of May 2004.


Jimmy Perez-Olivo, pro-se
Reg. No. 12576-069
M.D.C. Guaynabo, A-A/Cadre
P.O. Box 2147, San Juan
Puerto Rico 00922-2147

CERTIFICATE OF SERVICE

I Jimmy Perez-Olivo pro-se petitioner in the above captioned case herein certifies under penalty of perjury -28 U.S.C. Sec. 1746- that on the last date showing a true and exact copy of the above captioned motion was mailed to PRO-SE WRIT CLERK for service on the Office of the U.S. Attorney, District of Puerto Rico, A.U.S.A. Migdalia Carballo/Antonio Bazan, postage prepaid.


Jimmy Perez-Olivo, pro-se